

AKERMAN LLP

1160 Town Center Drive, Suite 330  
LAS VEGAS, NEVADA 89144  
TEL.: (702) 634-5000 - FAX: (702) 380-8572

DARREN T. BRENNER, ESQ.  
Nevada Bar No. 8386  
MATTHEW I. KNEPPER, ESQ.  
Nevada Bar No. 12796  
AKERMAN LLP  
1160 Town Center Drive, Suite 330  
Las Vegas, Nevada 89144  
Telephone: (702) 634-5000  
Facsimile: (702) 380-8572  
Email: [darren.brenner@akerman.com](mailto:darren.brenner@akerman.com)  
Email: [matthew.knepper@akerman.com](mailto:matthew.knepper@akerman.com)

*Attorneys for Department Stores National Bank*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TOMMY D. DAVIS

Plaintiff,

VS.

DEPARTMENT STORES NATIONAL BANK;  
CAPITAL ONE; HSBC BANK OF OMAHA;  
SILVER STATE SCHOOLS CREDIT UNION;  
and EXPERIAN INFORMATION  
SOLUTIONS, INC,

## Defendants.

Case No.: 2:15-cv-02268-JAD-PAL

**STIPULATION AND ORDER TO  
EXTEND TIME FOR DEPARTMENT  
STORES NATIONAL BANK TO FILE A  
RESPONSIVE PLEADING TO  
PLAINTIFF'S COMPLAINT**

**(SECOND REQUEST)**

The parties respectfully submit the following Stipulation to allow Defendant Department Stores National Bank (**Defendant**) fourteen additional days from the date of entry of this order to file a responsive pleading Plaintiff Tommy Davis' (**Plaintiff**) complaint filed on August 5, 2015. ECF No. 1. The parties previously stipulated to extend the response deadline Plaintiff's Complaint to January 25, 2016. ECF. No. 13. Pursuant to Stipulation of the parties, Defendant shall have until February 9, 2016 to file a responsive pleading.

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**Reason for this Request**

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The parties enter into this stipulation in order to provide additional time for the parties engage in additional fact gathering, and reach settlement. Plaintiff brought this action alleging violations under the Fair Credit Reporting Act (**FCRA**). However, Defendant cannot locate any indication in its records that Experian sent Defendant an automated consumer dispute verification, which is a prerequisite to liability under the Fair Credit Reporting Act. The parties are attempting to verify informally with Experian whether Experian notified Defendant that Plaintiff disputed Defendant's accuracy in credit reporting. This brief extension will provide the parties time sufficient to allow for a possibly quick and efficient resolution.

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1        This is the parties' second request for an extension.

2        DATED this 25th day of January, 2016.

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<p>4        <b>KAZEROUNI LAW GROUP, APC</b></p> <p>5</p> <p>6        <i>/S/ Michael Kind</i> MICHAEL KIND, ESQ. Nevada Bar No 13903 7854 W. Sahara Avenue Las Vegas, NV 89117</p> <p>7</p> <p>8        DAVID H. KRIEGER, ESQ. HAINES &amp; KRIEGER, LLC Nevada Bar No, 9086 8985 S. Eastern Avenue, Suite 130 Las Vegas, NV 89123</p> <p>9</p> <p>10      <i>Attorneys for Plaintiff</i></p>	<p>4        <b>AKERMAN LLP</b></p> <p>5</p> <p>6        <i>/s/ Matthew Knepper</i> DARREN T. BRENNER, ESQ. Nevada Bar No. 8386 MATTHEW I. KNEPPER Nevada Bar No. 12796 1160 Town Center Drive, Suite 330 Las Vegas, Nevada 89144</p> <p>7</p> <p>8        <i>Attorneys for Defendant Department Stores</i> <i>National Bank</i></p>
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13        **IT IS SO ORDERED:**

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15        **UNITED STATES MAGISTRATE JUDGE**

16        **DATED:** February 1, 2016

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